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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/695,972	10/29/2003	Michal Jacovi	IL920030021US1	7990
7590 04/04/2008				
Stephen C. Kaufman IBM Corporation Intellectual Property Law Dept. P.O. Box 218 Yorktown Heights, NY 10598				
EXAMINER				
CHAUHAN, LOREN B				
ART UNIT		PAPER NUMBER		
2193				
MAIL DATE		DELIVERY MODE		
04/04/2008		PAPER		

**Please find below and/or attached an Office communication concerning this application or proceeding.**

The time period for reply, if any, is set in the attached communication.

### Office Action Summary

**Application No.**

10/695,972

**Applicant(s)**

JACOVI ET AL.

**Examiner**

LOREN CHAUHAN

**Art Unit**

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --  
**Period for Reply**

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

**Status**

- 1) ☒ Responsive to communication(s) filed on 29 October 2003.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

**Disposition of Claims**

- 4) ☒ Claim(s) 1-36 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 1-36 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_\_ is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

**Application Papers**

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on \_\_\_\_\_ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

**Priority under 35 U.S.C. § 119**

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some \* c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
  2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
  3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

\* See the attached detailed Office action for a list of the certified copies not received.

**Attachment(s)**

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☐ Information Disclosure Statement(s) (PTO/SF/ICE)  
Paper No(s)/Mail Date \_\_\_\_\_
- 4) ☐ Interview Summary (PTO-413)  
Paper No(s)/Mail Date \_\_\_\_\_
- 5) ☐ Notice of Informal Patent Application
- 6) ☐ Other: \_\_\_\_\_

### **DETAILED ACTION**

1. Claims 1-36 are pending in this application for examination.

### ***Claim Rejections - 35 USC § 101***

2. 35 U.S.C. 101 reads as follows:

Whoever invents or discovers any new and useful process, machine, manufacture, or composition of matter, or any new and useful improvement thereof, may obtain a patent therefor, subject to the conditions and requirements of this title.

3. Claims 1-14 and 35-36 are rejected under 35 U.S.C. 101 because the claimed invention is directed to non-statutory subject matter.

- a. Claims 1 and 10 are directed to a collaborative environment and a help menu; but the body of the claims is mere "software per se". Applicant is advised to include "a computer has..." to fix the deficiency.
- b. Claim 35 is directed to a product; but the body of the claim is "program per se". Applicant is advised to include "computer storage..." to fix the deficiency.
- c. Claims 2-9, 11-14 and 36 are rejected for similar reasons as discussed for their respective parent claims, as they fail to present any limitations that resolve the deficiencies of the claim from which they depend.

### ***Claim Rejections - 35 USC § 112***

4. The following is a quotation of the second paragraph of 35 U.S.C. 112:

The specification shall conclude with one or more claims particularly pointing out and distinctly claiming the subject matter which the applicant regards as his invention.

5. Claims 2-14, 16-23 and 27-34 are rejected under 35 U.S.C. 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention.

d. The following terms lack antecedent basis:

- i. – said menu -- claim 10, line 1.
- ii. – said discussion client – claims 12-14, line 1.
- iii. – said second – claim 17, line 1.
- iv. – said third – claim 18, line 1.
- v. – said having – claims 16, 19, 21, 27, 30 and 32; line 1.
- vi. – said providing – claims 20, 22, 23, 31, 33 and 34; line 1.

e. The claim language in the following claims are not clearly understood:

- vii. As per claims 2-9, are directed to "an environment"; but they depend on the claim 1, which is directed to "a collaborative development environment". Applicant is advised to change claims 2-9 to include "a collaborative development environment" to overcome the rejections.
- viii. As per claims 11-14, are directed to "a menu"; but they depend on the claim 10, which is directed to "a Help menu". Applicant is advised to change claims 11-14 to include "A Help menu" to overcome the rejections.
- ix. As per claims 27-34, are directed to "a product"; but they depend on the claim 26, which is "A computer product". Applicant is advised to

change claims 27-34 to include "A computer product" to overcome the rejections.

***Claim Rejections - 35 USC § 103***

6. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

7. Claims 1-2, 4-5, 15 and 26 are rejected under 35 U.S.C. 103(a) as being unpatentable over Ruths (US PG-Pub. No. 2003/0018719).

8. As per claim 1, Ruths teaches the invention substantially as claimed including a collaborative development environment (paragraph [0004]) comprising: a collaboration client integrated into said environment (paragraphs [0010]; [0059] lines 9-11; [0052] lines 1-3; e.g. a collaboration platform is implemented as a plug-in, couple to or an interfaced to an application).

9. However, Ruths does not explicitly teach an integrated development environment; but Ruths teaches a collaborative platform is interfaced to an application (paragraphs [0010]; [0059] lines 9-11; [0052] lines 1-3); and an application may be the mechanism through which a user views and/or manipulates the object (paragraph

[0052] lines 8-9) thus reasonably interpreted as an integrated development environment.

10. Therefore, it would have been obvious to one of ordinary skill in the art to plug-in, interfaced or coupled to an integrated development environment instead of an application as taught by Ruths; so that development of applications become more flexible by collaborating participants which are remotely located.

11. As per claims 15 and 26, Ruths teaches the invention substantially as claimed including a method comprising: having peer support available from within an integrated development environment (paragraphs [0051] lines 3-4; [0052] lines 1-5, 15-17; [0068] lines 7-21; e.g. collaborative platform is interfaced with an application and provides means to communicate with other collaborative clients over the network).

12. However, Ruths does not explicitly teach an integrated development environment; but Ruths teaches a collaborative platform is interfaced to an application (paragraphs [0010]; [0059] lines 9-11; [0052] lines 1-3); and an application may be the mechanism through which a user views and/or manipulates the object (paragraph [0052] lines 8-9) thus reasonably interpreted as an integrated development environment.

13. Therefore, it would have been obvious to one of ordinary skill in the art to plug-in, interfaced or coupled to an integrated development environment instead of an application as taught by Ruths; so that development of applications become more flexible by collaborating participants which are remotely located.

14. As per claim 2, Ruths teaches wherein said collaboration client comprises a discussion client (fig. 5; paragraph [0068]).

15. As per claim 4, Ruths teaches wherein said collaboration client comprises at least one gauge indicating the status of collaboration discussions (paragraph [0068] lines 8-10; e.g. network engine provides for sending state information).

16. As per claim 5, Ruths teaches wherein said collaboration discussions are those relevant to the user of said environment (paragraphs [0072] lines 20-23; [0075]; e.g. collaborative data resource representations and application maybe linked via adapter configured to translate events for a specific application for a specific type of collaborative data resource and to communicate the events between collaborative data resource representations and application).

17. Claim 3, 16-21, 27-32 are rejected under 35 U.S.C. 103(a) as being unpatentable over Ruths (US PG-Pub. No. 2003/0018719) in view of Fitzpatrick (US Pat. No. 7,039,677).

18. As per claim 3, Ruths does not explicitly teach wherein said discussion client comprises means to select a discussion to join and means to participate in a selected discussion.

19. Fitzpatrick teaches said discussion client comprises means to select a discussion to join and means to participate in a selected discussion (col. 2, lines 27-33).

20. Therefore it would have been obvious to one of ordinary skill in the art at the time of the invention was made to combine the teachings of Ruths and Fitzpatrick so that the user can communicate with other users who are interested in discussing the same discussion.

21. As per claims 16 and 27, Ruths does not explicitly teach wherein said having comprises providing a user with at least one list of existing topics of discussion and providing said user with a selector to select one of said topics.



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22. Fitzpatrick teaches wherein said having comprises providing a user with at least one list of existing topics of discussion and providing said user with a selector to select one of said topics (col. 3, lines 24-31).

23. Therefore it would have been obvious to one of ordinary skill in the art at the time of the invention was made to combine the teachings of Ruths and Fitzpatrick so that the user can communicate with other users who are interested in discussing the same discussion.

24. As per claims 17 and 28, Fitzpatrick teaches wherein said second providing also comprises providing said user with a window in which to participate in a selected discussion (col. 2, lines 59-62).

25. As per claims 18 and 29, Ruths teaches wherein said third providing comprises retrieving said selected topic from a collaborative development server (paragraph [0068] lines 7-21; e.g. network engine provides receiving and sending commands or messages to remote server).

26. As per claims 19 and 30, Fitzpatrick teaches wherein said having comprises determining a context of work for a user of said peer support (col. 3, lines 37-40; e.g. visual identifier representing the topic of discussion).

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27. As per claims 20 and 31, Fitzpatrick teaches wherein said providing comprises selecting from said existing topics those related to said context of work (col. 3, lines 24-31, 37-40).

28. As per claims 21 and 32, Ruths teaches wherein said having comprises providing a user with means to ask questions of peers (paragraph [0068]).

29. Claims 6-9 are rejected under 35 U.S.C. 103(a) as being unpatentable over Ruths (US PG-Pub. No. 2003/0018719) in view of Parker (US PG-Pub. No. 2003/0070176).

30. As per claim 6, Ruths teaches said discussion client comprises means to receive a question (paragraph [0068] lines 7-21; e.g. network engine provides for receiving commands or messages from remote participants); but does not teach to select a user.

31. Parker teaches to select a user from a contact list (paragraph [0046]).

32. Therefore it would have been obvious to one of ordinary skill in the art at the time of the invention was made to combine the teachings of Ruths and Parker so that a user has freedom to communicate with only a particular in which a user is interested.

33. As per claim 7, Parker teaches wherein said collaboration client comprises a context fetcher (paragraph [0043]; e.g. title section is used to establish context for collaborative pane).

34. As per claim 8, Ruths teaches wherein said collaboration client comprises means to communicate with a collaborative development server (paragraphs [0063], [0064]).

35. As per claim 9, Parker teaches wherein said context fetcher comprises means to determine the context of the work performed by the user of said integrated development environment (paragraph [0043]; e.g. title section is used to establish context for collaborative pane).

36. Claims 10-11 and 14 are rejected under 35 U.S.C. 103(a) as being unpatentable over Dazey (US Pat. No. 5,715,415) in view of Ruths (US PG-Pub. No. 2003/0018719).

37. As per claim 10, Dazey teaches a Help menu of a software application (Abstract), said menu comprising: sections to provide information about said software application (col. 4, lines 9-10, 12-15, 47-52; e.g. help menu provides step-by-step instructions to use software application); but does not teach a peer support section to provide access to a collaboration server.

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38. Ruths teaches collaborative platform is interfaced with an application and provides means to communicate with other collaborative clients over the network (paragraphs [0051] lines 3-4; [0052] lines 1-5, 15-17; [0068] lines 7-21) thus teaches a peer support section to provide access to a collaboration server.

39. Therefore it would have been obvious to one of ordinary skill in the art at the time of the invention was made to combine the teachings of Dazey and Ruths so that it will improve the Ruths collaborative agent having a help menu to provide the information, usage and troubleshooting capabilities making application user-friendly.

40. As per claim 11, Ruths teaches wherein said peer support section comprises a discussion client (fig. 5; paragraph [0068]).

41. As per claim 14, Ruths teaches wherein said discussion client comprises means to communicate with a collaborative development server (paragraphs [0063], [0064]).

42. Claim 12 is rejected under 35 U.S.C. 103(a) as being unpatentable over Dazey (US Pat. No. 5,715,415) in view of Ruths (US PG-Pub. No. 2003/0018719) and further in view of Fitzpatrick (US Pat. No. 7,039,677).

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43. As per claim 12, Dazey and Ruths do not explicitly teach wherein said discussion client comprises means to select a discussion to join and means to participate in a selected discussion.

44. Fitzpatrick teaches said discussion client comprises means to select a discussion to join and means to participate in a selected discussion (col. 2, lines 27-33).

45. Therefore it would have been obvious to one of ordinary skill in the art at the time of the invention was made to combine the teachings of Dazey, Ruths and Fitzpatrick so that the user can communicate with other users who are interested in discussing the same discussion.

46. Claim 13 is rejected under 35 U.S.C. 103(a) as being unpatentable over Dazey (US Pat. No. 5,715,415) in view of Ruths (US PG-Pub. No. 2003/0018719) and further in view of Parker (US PG-Pub. No. 2003/0070176).

47. As per claim 13, Ruths teaches said discussion client comprises means to receive a question (paragraph [0068] lines 7-21; e.g. network engine provides for receiving commands or messages from remote participants); but does not teach to select a user.

48. Parker teaches to select a user from a contact list (paragraph [0046]).

49. Therefore it would have been obvious to one of ordinary skill in the art at the time of the invention was made to combine the teachings of Ruths and Parker so that a user has freedom to communicate with only a particular in which a user is interested.

50. Claims 22-23 and 33-34 are rejected under 35 U.S.C. 103(a) as being unpatentable over Ruths (US PG-Pub. No. 2003/0018719) in view of Fitzpatrick (US Pat. No. 7,039,677) and further in view of Parker (US PG-Pub. No. 2003/0070176).

51. As per claims 22 and 33, Ruths and Fitzpatrick does not explicitly teach wherein said providing comprises determining a context of work for a user of said peer support.

52. Parker teaches wherein said providing comprises determining a context of work for a user of said peer support (paragraph [0043]; e.g. title section is used to establish context for collaborative pane).

53. Therefore it would have been obvious to one of ordinary skill in the art at the time of the invention was made to combine the teachings of Ruths, Fitzpatrick and Parker so that the user can communicate with other users who are interested in discussing the same discussion.

54. As per claims 23 and 34, Parker teaches wherein said providing comprises selecting from among a list of said peers those related to said context of work (paragraph [0046]).

55. Claims 24-25 and 35-36 are rejected under 35 U.S.C. 103(a) as being unpatentable over Fitzpatrick (US Pat. No. 7,039,677).

56. As per claims 24 and 35, Fitzpatrick teaches the invention substantially as claimed including a method comprising: selecting topics of discussions (col. 3, lines 24-31, 37-40) but does not teach that it is based on work being performed in an integrated development environment.

57. However, Fitzpatrick teaches that chat participant can select from a list of topics to associate in a chat or to start a new chat discussion (col. 2, lines 24-31, 35-39) and can have visual representation of that topic (col. 3, lines 37-41), therefore, it is reasonably interpreted as selecting or starting of a new topic of conversation is based on work being performed in an integrated development environment.

58. Therefore it is obvious to one of ordinary skill in the art at the time of the invention was made to use the invention of Fitzpatrick to collaborate the development

work being done in association with the participants at remote locations so that the work can be completed faster and with less difficulty.

59. As per claims 25 and 36, Fitzpatrick does not explicitly teach wherein said work is defined by at least one of the following: the current file, the current class, the current object, the current project, and the current function. However, it is known in the art to identify work as file, class, object and function so that it is easy for user to distinguish a work among several other works being done on the same time and further user can ask its peer for review the work, which user has done.

### ***Conclusion***

Any inquiry concerning this communication or earlier communications from the examiner should be directed to LOREN CHAUHAN whose telephone number is 571-270-1554. The examiner can normally be reached on Mon.-Thr. 9:30-5:00 (EST).

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Lewis Bullock can be reached on 571-272-3759. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR.



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Status information for unpublished applications is available through Private PAIR only.

For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

/Lewis A. Bullock, Jr./  
Supervisory Patent Examiner, Art Unit 2193

Loren Chauhan  
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